App. F. IX-4

Previous References

1932.
(Meezrai)

File No. 254-32

Serial Nos. 1–6

Later References

General and Revenue Secretariat.

Serial Nos. 6.

Part B for May 33.

SUBJECT.

Praying to ~~recommend~~ Prayer by Mr Balakrishna Rao Shikarpur to recommend his case regarding reco of ~~for~~ reserve from him of Sri Kasi Visweswara Swamy temple at the place. for disposing ~~of~~ it of on its merits.

Mr. Balakrishna Rao Shikarpur

1673 & 16- S 33.

Forwards a copy of letter no 1672 & 16 S- 33 to the Kurnool Collr

Condoning the delay in preferring the appeal and that the case maybe disposed of ~~by~~ by M.C on its merits

M. C. 27]

ಮೈಸೂರು ಸೀಮೆಯ ಮುಜರಾಯಿ ಕಮಿಷನರವರ

ಆಫೀಸಿನಿಂದ.

ನಂ. AHC 1 ಕರ-33 ಬೆಂಗಳೂರು ತಾ|| 1-4-

ಶಿವಮೊಗ್ಗ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಹೊಸಕೊಪ್ಪ

ತಾಲ್ಲೂಕು ಹೊಸಕೊಪ್ಪ

ಗ್ರಾಮದವರು

ಎಸ್. ಎಸ್. ಎಲ್. ಸಿ. ಪರೀಕ್ಷೆಯಲ್ಲಿ ಉತ್ತೀರ್ಣರಾಗಿರುವುದಕ್ಕಾಗಿ

ಇದೇಬಿನಲ್ಲಿ ನಮೂದಿಸಿರುವ ಅರ್ಜಿಯನ್ನು ಮತ್ತು ಈ

ವಿಷಯದಲ್ಲಿ ರಿಂದ

ಬದಮಾಡಿಕೊಂಡಿರುವ ರಿಕಾರ್ಡು ಪರ್ಯಾಂಬರಿಸಲಾಯಿತು.

ನಿವೃತ್ತ ಅಧಿಕಾರಿಗಳಿಗೆ ಉಚಿತವಾಗಿ ಪ್ರಯಾಣ ಮಾಡಲು ಅನುಕೂಲವಾಗುವಂತೆ ಪಾಸುಗಳನ್ನು ಕೊಡುವ ವಿಷಯ

WD 01150—GPB—300—5-1-31

ರಿಜಿಸ್ತರ್ ನಂ.

ತಾರೀಖು

ವಿಷಯ:—

ಹೊಸಕೊಪ್ಪದ ದಲ್ಲಿರುವ ಶಿಕ್ಷಕರ ಕೊಠಡಿಯಲ್ಲಿ ಕೊಠಡಿಯ ಪ್ರವೇಶದ್ವಾರದ ಬಳಿ ಸ್ಥಾನಕ್ಕೆ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯ ವಿಷಯದಲ್ಲಿ ಸ್ಪೆಷಲ್ ಆಫೀಸರಿಂದ ವಸೂಲಾಗಿದ ಚಲ್ಲಾನ್ ಕಳುಹಿಸಿಕೊಡುವುದು —

గతిసిభోగి చుట్ట కొలంబిక్ Aరు చేర్చ రిందు లూ చుట్టు సుస్థిగ్గిన్న
వళ్ళి నారాయణ్ణు సు చుట్టు కోవాసిల గ్గర్చ రిందు లూ నిచుకై అయిదుంరు వ్యుత్తిరిగ్గిరి
గొళ్ళిరు చదరు.

MRuuuuuu.
—For Murugaiah Chettiar

ది: 16 9 1932

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. No 395 of 32-33.

May 25-4-32

The petitioner S. V. Balakrishna Rao prays that no case may be remanded to the Municipal Commissioner's Court for being disposed of on merits.

Heard, the P. G. A. for the Municipality & Mr. for Subl. Records together with a Def. of the Municipality.

The appeal preferred before

N.B —Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The Muz Commr was rejected on the preliminary ground of its being time-barred. The petr prays that the Muz. Commr may be ordered to dispose the case on merits.

It is for consideration if this appeal can be entertained by Govt and if the M.C.'s decision as regards limitation is not final.

Govt can, of their own accord, no doubt call for the papers, if the Muz. Commr's order had been passed on merits and if they have reason to consider that the prayer in appeal deserves consideration, irrespective of time limit

Law Secy may perhaps be consulted.)

MSK

H Sec'y 6/10/32

for 8/10

N.B — Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Law Secretariat, with compliments. 10/10

Kud 1 | 32

General and Revenue Secretariat

File No. 254 of 1932. [App. F. III—2

Serial No.

of Regulation VII of 1917,

9. Under Sec 38-(2) an appeal lies to Govt against every order passed by the Hon Comr under the Regn.

142 — law

10. The present appeal is therefore maintainable and the records have to be called for & the case disposed of according to law —

A

Hon Bar)

Submd. with reference to paras 6 & 7 supra.

Noted — 12/10/32

13 OCT No 1377

OFFICE OF THE FIRST MEMBER OF COUNCIL 14 OCT. 1932 No... 2912

H — If approved records will be called for

12/10/32

Finance) 13/10

13/10

14/10

14/10/32

17/10

15) Memo to Watch time ... for records pertaining to the P. W. D is for Hon'ble Minister's signature —

Govt Sup 17/10

16) Done 18/10

2 Send to the Hon Comr with no 60219-10-32 for a report with records.

Petition dt 1-12-32 from Mr S N Bala ... Board of Shikarpur — praying, pending disposal of the

NOTE—Contn. Sheet

a Appeal that Government may be pleased to direct the stay of further proceedings against his movables - immediately —

The records connected with the case have already been called for. The petitioners request for a stay order is for others —

GS 7/12

Stay orders may perhaps be issued in the cases represented by the appellant's Advr.

9/12/32

For Secy)
2nd Advr)

14/12/32

Yes
16/12

18/12

19/12

19/12

No 955 of 20/12/32 to the Deputy Commissioner issuing instructions for the stay of proceedings taken against one S. N. Balakrishna Rao of Sitharam pending disposal of the appeal petition.

No 956 of 20/12/32 to Mr S. N. Balakrishna Rao forwarding copy of the above.

General and Revenue Secretariat — File No. 234 of 1932.

Serial No.

5 Letter No 413/32-33 dt 22.3.33 from the Muzrai Commissioner submitting records re: The appeal filed by V. N. Balakrishna Rao of Shikarpur re: the recovery of the sum of Rs 80/- being the arrears of rental amount of Sri Kasi Visweswara Swami Temple and stating that the facts of the case are fully set forth in the Shimoga Deputy Commissioner's decision dt 5-10-29 and his report dt 8/3/1933.

In the preamble portion of the decision given by the D.C. Shimoga in Misc Appl 1 of 28-29 dt 5/10/29 on the file of his Court there is a ref^ce to G.O No 2443-4/Mag 7. 462-11-D dt 23-6-13 fixing a scale of expenditure for Sri Visweswara Swami Temple at Shikarpur & a copy of this order is sent up for ref^ce

The facts of the case are clearly set forth in the decision of the D.C. The revised Scale of expenditure for the temple - vide D.C's order No R Dis 210 (Rev) 19-20 dt 22/1/20.- The income is estimated at Rs 191/- & a reserve of Rs 20/- is provided - in the scale - This latter scale is said to have been not enforced owing to the inaction of the authorities.

Whether the applicant accepts having been charged the receipts from revised Scale is a matter to be enquired by the Inam Officer.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

on 7-2-24 the appellant is found to have filed a statement before the Collector that he could arrange to pay the ~~arrears~~ reserve from 24-25. He failed to pay the reserve till May 1928 when during the time of Jamabandi the S-D-O sent for him - The reasons assigned by him for non-payment are as reported in para 2 of ~~his~~ Report No 1482 of 27-28 of 24/5/28 of the S-D-O. He ~~was~~ proceeded thereon by the D.C. on 6/11/28; ~~the charges were~~ the first charge framed being as follows:

(1) He (Balakrishna Rao) showed reluctance to pay up the arrears of reserve from 1924-25 upto the end of 1927-28 at Rs 20/- a year -

From the Collector's report of 8/11/29 a sum of Rs 1001-[illegible] ~~is to be~~ credited to Forest and Reserve by the appellant. This covers the period from 1924-25 to 1928-29 (both inclusive) - which is contested by the appellant is in respect of Rs 801- [illegible] from 20-21 as stated in the D.C's report of 8/8/33. A-

The appeal preferred before the M.C against the D.C's order 23-9-30 has been rejected as time barred (Flag N for records) & the prayer of the appellant is that the case may be remanded to the M.C's Court for being disposed of on merits.

For orders whether the case may be remanded or heard here

Rs 21/4/-

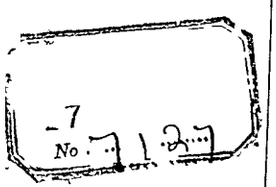
M

Serial No.

The appeal has been rejected by the Dy C. on the ground that it is far out of time. Perhaps the delay in preferring the appeal may be condoned and the request of the appellant to remand the case to the Dy C. for being disposed of on merits granted.

SS
27/4/33

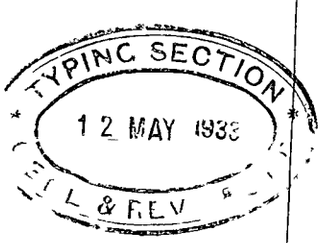
II Members)



The delay may be condoned the Dy C. requested to dispose of the case on merits

JSQ
27/4

SS
28/4

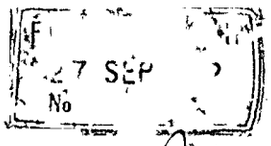


Gs pw 11/5

Dy Secy 11/5

No 1672 of 16/5/33 to the Mazavi Commissioner intimating that the delay in preferring the claim may be condoned and the case disposed of on merits by him

No 1673 of 16/5/33 to Mr. V. N. Bala Krishna Rao of Shikarpur forwarding copy of the above for information.



To

27-9-32 Rec 27/9/32

The Government Mis 254-32-1
of H. H. the Maharaja of Mysore
Bangalore

Appellant

S. N. Balakrishna Son
of Shikarpur Shimoga
District

Appeal petition against the order dated 16-9-32 of the Muzarai Commissioner in Mysore Bangalore in appeal No 7/32-33 on the file of his Court—

The appellant above named most respectfully begs to state as follows

That the appeal petition to the Muzarai Commissioner has been summarily rejected on the ground that the appeal was barred by the law of limitation and the learned Muzarai Commissioner erred in not taking into consideration the facts and circumstances as detailed in the affidavit filed along with the appeal petition.

That the law of limitation provides for waiving the question of time in cases of appeal when delay is mainly one to causes beyond the controll of the appellant and if sufficient cause is shown the appeal should be registered.

That the learned Muzarai commissioner has erred in at the conclusion the

the explanation for delay as given by the
in his affedavit is not satisfactory

That the order of the deputy commissioner
is not one passed in the presence of the appellant
nor has the order been communicated to him
The appellant came to know of the order only
when steps were taken for the recovery of
the amount and the appellant without
any loss of time has applied for the copy of
the order and after it was given to him, he
has preffered this appeal.

That the order of the deputy
commissioner is clearly in contravention of the orders
of his predecessor in office and as such
groundless

For these reasons the appellant prays
that the Government may be graciously
pleased to condone any delay that might
have happened and in reversal of the
order of the Nuzarai commissioner remand
the case to his court for being disposed
of on merits.

The endorsement of the Nuzarai
Commissioner is here with submitted

S N. Balakrishnaro
D/26. 9. 1932

No. 602 of 1930-32

Forwarded with compliments to the Nuzarai Commissioner for submission of a report together with entire records bearing on the case —

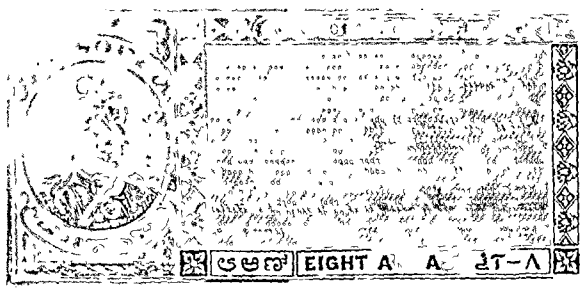
By order —

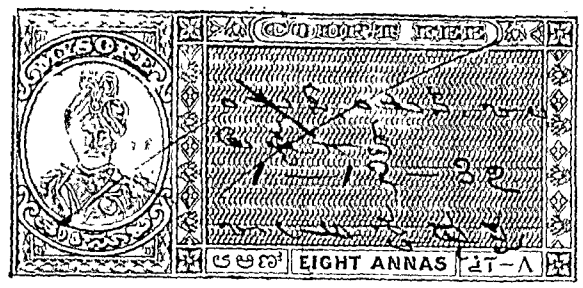
for Secretary

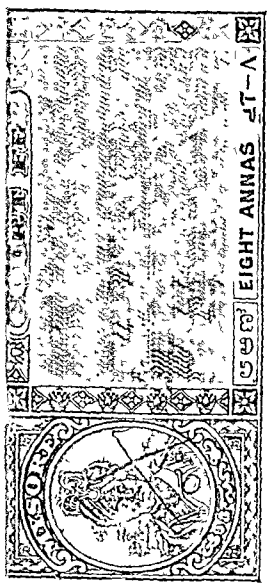
18/10/32

413/32-33
20 OCT 1932

Typed in original to the main file annexed







Muz 254-

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE, BANGALORE.

CHIEF SECRETARY.
2 DEC. 1932

Appellant :- S. N. Balakrishna Rao of Shikaripur.

GENL. & REV. SECRETARIAT
623.
3 DEC. 1932
BANGALORE.

The appellant above-named most respectfully begs to submit as follows:-

1. That he has preferred an appeal to this benign Government against the order of the Muzrai Commissioner in Muz. Appeal No. 7/32-33 dated 16. 8. 1932 rejecting the appellant's appeal preferred by him against the order of the Deputy Commissioner and District Muzrai Officer, Mr. G. Rudrappa upon Taluk Amildar's report without appellant's knowledge at all quite inconsistently with and in contravension of the final order of his predecessor, Late Mr. S.N.Balaraj Urs in a regular appeal No. 1/28-29 against the order of the Sagar Sub-division Officer in reference No. C. 275/ 28-29 dated 27-6-1929.

2. That this appeal to Government is based on good and substantial grounds and the appellant is fully hopeful of success finally in his appeal.

3. That in persuance of the order of the Deputy Commissioner, Late Mr. S.N.Balaraj Urs, dated 5-10-1929 in Muz. Appeal 1/ 28-29 referred to, the appellant has deposited the full amount of 100 rupees in the Taluk Treasury and nothing more was due by him.

4. That in persuance of the subsequent inconsistent and illegal order of his successor, Mr. G. Rudrappa without

without notice to the appellant and without hearing him quite in contravension of his predecessor's final order the movable properties of the appellant that has been attached are now being hurriedly brought to sale by the Taluk authorities.

5. That in case the attached moveables be sold there will be sunstantial loss to be sustained by the appellant.

6. That the appellant therefore respectfully prays that ~~xxx~~ pending disposal of the appeal before the Government, the Government may be pleased to direct the stay of further preoceedings against his moveables immediately.

S. N. Balakrishnarao
of 1st dec 1932

GENL. & REV. SECRETARIAT
693
17 DEC 1932
MUZRAI.

D No.
623
Muz
14/12

To -

The Government of His Highness the
Maharaja of Mysore, Bangalore

CHIEF SECRETARY
Muz
17 DEC. 1932.

Appellant - S. N. Balakrishna Rao of Shikarpur

The appellant abovenamed most respectfully begs to submit as follows:-

1. That he has preferred an appeal to this Government against the order of the Muzrai Commissioner, in Muz. Appeal No. 7/32-33 dated 16-9-32.

The Corrected File Receipt D. No 623 was held in Second Member of Council on 14/12/32 & Note recorded

2. That this appeal to Government is based on good and substantial grounds, and appellant is fully hopeful of success to immediately, the appellant has already prayed for the stay of further proceedings against his attached movables.

Cf Muz 17/12

3. That no stay order has been granted for petitioner hitherto and now the appellant's movables are being put to sale on the 22nd instant

17/12/32

(Pri Secy)

4. Hence the appellant most respectfully prays that immediate stay order be sent by the 22nd of this month so that sale may not be held.

17/12

17/12

S. N. Balakrishna Rao
15-12-1932

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. ~~Ft.~~ 955 Rev 2
Mes 254-32

Dated, Bangalore, 20th Dec. 32.

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject:- Prayer of Mr. S.N. Balakrishna Rao of Chikarpur in the matter of recovering from ~~them~~ him a sum of Rs.80/- towards the reserve ~~attachment~~ amount of Sri Kasi Visweswaraswami Temple at Chikarpur.

In continuation of this office Memo No.602 dated 19-10-1932, forwarding the petition on the above subject for report with records, I am directed to forward herewith petitions dated 1-12-1932, and 15-12-1932, since received from the petitioner Mr. S.N. Balakrishna Rao of Chikarpur and to request that further proceedings in the matter may be stayed pending disposal of his ~~xxxxx~~ appeal petition. The petitions may be returned with the report already called for.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd) S. Shamanna
Financial Secretary to Government.
~~Sd/- S. Shamanna.~~

S.R.O.3/20-12.

Memo No. 956/Mes Dated, 20th December 1932.

Copy of the above, is forwarded, to Mr. S.N. Balakrishna Rao of Chikarpur with reference to his petitions of 1-12-32 and 15-12-1932.

By Order,
For Financial Secretary to Government.

SUBJECT .....

.....

.....

Section Mun

File No. 254

Serial No. 4

Diary No. of letter replied to .....

No. 955-Rev 2

To

The M.C.

General and Revenue Secretariat

( )

the 193 .

Subj: — Petition of Mr. S.N. Balakrishna Rao of Shikarpur in the matter of remission from him of a sum of Rs 801- towards the renewal Amount of Sri Kasi Vishweswara Swamy temple at Shikarpur.

Date of issue 20/12/32

Signed by B. Muddukrishnappa

List of enclosures .....

Copied by .....

Examined by .....

Sir,

In continuation of this office memo No 6029 dt 19.10.32 forwarding petition on the above subject for report with records, I am directed to inform that Collr of Sd has in his letter dt 14/12/32 - since received

the Petitioner Mr S. N. Balakrishnarao
request that further proceedings
to ~~Stay~~ ~~Hon'ble Court may be pleased~~
in the matter may be stayed
~~to issue a Stay order accordingly~~
~~for which act~~ pending
disposal of his appeal. The papers may be
kept with the Deputy Registrar called for.

Thanks etc

19/12/32

Yours sincerely

Rao

956/Mag. 20-12-32

Copy to Mr S.N. Balakrishnarao
Reg of Sub Court with reference to his
letter dt 17-12-32
No-O

19/12

Yours sincerely

Rao

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,... . ... 193 .

GENL. & FFV'S CITTAGIAL
1093.
23 MAR. 1933
SECRETA
No.

FROM

S. HIRIANNAIYA, ESQ., M.A., BL.,
Muzrai Commissioner in Mysore,
Bangalore.

Mg 257-32-8

To

Secretary to the Government of His Highness
the Maharaja of Mysore,
...Department.

SIR,

herewith returned.

I have the honour to be,

Sir,

Your obedient servant,

[illegible]

[illegible] your humble servant.

[illegible] ce of H_g.

The [illegible] ted the 3r
[illegible] or 1930.

[illegible] ---- tion is submitted herewith.

Copy

Rumsey

For Secretary Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

FINANCIAL SECRETARIAT.

22.

Dated, Bangalore, 193

No. 1672 & 2 files 15th May 3.
Mog 254-32-6 16

From

Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To The

The Muzrai Commissioner in Mysore,

Sir,

Bangalore.

With reference to your letter No.413/32-33 dated 22nd March 1933, forwarding records relating to Appeal No.7/32-33 filed in your Court by C.N. Balakrishna Rao of Chikarpur in connection with the recovery of Rs.80/- from him towards the arrears of reserve in favour of Sri Kasiviswesvaraswami Temple at the place, I am directed to state that the delay in preferring the appeal before your Court is condoned and that the case may be disposed of by you on merits. The records received with your letter under advertence are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- B. Muddukrishnappa,
for Financial Secretary to Government.

M.M.M.3/15-5.

Memo No. 1673/Mog 254-32 Dated, 15th May 1933.
16

Copy of the above, is forwarded, to M/s. C.N. Balakrishna-Rao, of Chikarpur in continuation of this office Memo No.956/Mog. dated 20th December 1932.

By Order,

For Financial Secretary to Government.

BJECT .....

.....

.....

Section Misc 3

File No. ~~AA~~ 254-32

Serial No. 6

Diary No. of letter replied to .....

No. 1672 Encl 2 d/bs

To

The M.C

General and Revenue Secretariat

( )

the *193* .

Sir,

Date of issue 16/1/33

Signed by Mr B Muddu Krishnaiah

With reference to your letter No 413/32-33 dy 22/1/33 forwarding records relating to inam Court case no 7/32-33 filed by S. V. Balakrishna Rao of Shikarpur in connection with the recovery of Rs 80/- from him towards the arrears of rent in favour of Sri Kasi Visweswara Swamiventhe at the place I am directed to state that the delay made by the petitioner in preferring the appeal before the Inam Court is condoned and the case may be disposed of on merits. The records

List of enclosures.....

Copied by.....

Examined by.....

Received with your letter under
acknowledgement to be returned

Dear Sir

11/5

for Secy

1673 dt 16-5-33

Copy of the above is forwarded
to Mr. S.V. Balakrishna Rao
of Shikarpur in continuation of
this office memo no 956/Mdg
dt 20/12/32.

B-O

11/5/33

for Dy Secy